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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/763,191   | 01/26/2004  | Masahito Nasu        | 1466.1083           | 6426             |
| 21171 7590 07/22/2008<br>STAAS & HALSEY LLP<br>SUITE 700<br>1201 NEW YORK AVENUE, N.W.<br>WASHINGTON, DC 20005 |             |                      |                     |                  |
| EXAMINER   |             |                      |                     |                  |
| LO, SUZANNE  |             |                      |                     |                  |
| ART UNIT   |             | PAPER NUMBER         |                     |                  |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/763,191

**Applicant(s)**

NASU, MASAHI TO

**Examiner**

SUZANNE LO

**Art Unit**

2128

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 April 2008.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 2, 6 and 7 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1, 2, 6 and 7 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 26 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/SI-108)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-2 and 6-7 have been presented for examination.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-2 and 6-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear what is meant by "in advance" in the claim limitation "adding, in advance, as part information" as it is unclear what the adding of part information is in advance of.

It is unclear whether the reprojecting the modified three-dimensional part model is based on the decided projecting direction and the decided generating position or the resulting generated modified two-dimensional projection is based on the decided projecting direction and the decided generating position.

**Claim Rejections - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2 and 6-7 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Unigraphics Solutions™ ("User's Guide Getting Started with SOLID EDGE™ Ver. 8.0").

As per claim 1, Unigraphics is directed to a partial reprojection method for reflecting for use in a three-dimensional CAD system, the method comprising: *generating a two-dimensional projection by projecting an assembly model (page 258 Drawing Production)*; grouping two-dimensional elements in the two-dimensional projection for each part of the assembly model (page 274, **Documenting Multiple Parts in One Draft Document** and page 150, **"Maintaining Relationships"** and **"How Relationships Work"**); adding, *in advance*, as part information, attributes of each part of the assembly model to the two-dimensional projection, the attributes including a line of sight and a position of each part of the assembly model (page 296 **Annotations and Associativity** and page 269 **Setting Projection Angle for line of sight**, page 280 **"When you change parts and assemblies in part views, you can easily update the views so they match the new model geometry."** and page 298, **Hole Table**); *loading a modified three-dimensional part model generated by modifying a shape of a three-dimensional part model that is part of the assembly model (page 280, Part View Updates)*; deciding a projecting direction of the modified three-dimensional part model based on a line of sight of a part to be reprojected included in the part information (page 280, **Part View Updates, 2-D diagram drawing**); deciding a generating position of the two-dimensional elements of the modified three-dimensional part model based on a position of the part to be reprojected included in the part information (page 280, **Part View Updates, 2-D diagram drawing**); and *reprojecting* the modified three-dimensional part model to generate a modified two-dimensional projection based on the decided projecting direction and the decided generating position (page 280, **Part View Updates**).

As per claim 2, Unigraphics is directed to the partial reprojection method according to claim 1, further comprising: adding to the two-dimensional projection, *projection information* including information about a loaded model and a projected model (page 282-283 **Retrieving Dimensions and Annotations** and page 280, 2<sup>nd</sup> paragraph, **"When a drawing view is out-of-date with respect to the 3-D model..."**); and deciding *which should be performed, an entire reprojection based on the assembly*

model or a partial reprojection *based on the modified three-dimensional part model* in accordance with the projection information (**page 282 Setting Retrieval Options**), wherein: if the partial reprojection is *decided to be performed*, only the shape is changed *and the part information and the projection information are not changed*; (**page 282-283 Dimension Retrieval**); *and if the entire reprojection is decided to be performed*, a projection direction of the assembly model is decided based on the projection information (**page 261, Setting the Projection Angle**).

As per claims 6-7, Unigraphics is directed to a computer-readable medium storing a program for a three-dimensional CAD system that enables reflection of a shape modified in a part model on a two-dimensional projection generated from an assembly model, the program causing a computer perform the method steps of claims 1-2 and are therefore rejected under the same prior art.

#### **Response to Arguments**

4. Applicant's arguments filed 04/28/08 have been fully considered but they are not persuasive.
5. The 35 U.S.C. 101 rejection has been withdrawn due to the canceled claims.
6. The 35 U.S.C. 112 rejection has been withdrawn due to the amended claims. However, the amended claims have raised new 112 issues as detailed above.
7. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., page 6-7, advantages of invention –easily reflect modified shape, etc) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., how the 3-D CAD system should be configured in order for the part view to be associated or non-associative with the 3-D part or assembly)

are not recited in the rejected claims. The claim language only requires that the 2-D part view to be associated with the 3-D part or assembly, not how they are associated.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., how the projection angle should be decided in the practical projection) are not recited in the rejected claims. The claim language only requires that a line of sight, or a projection angle exists as an attribute, not how the line of sight or projection angle is decided.

In response to Applicant's argument that the hole table is not part information as the hole table "is not used for locating the model but for locating the hole on a model", the Applicant is directed to the limitation of claim 1 which reads, "adding as part information attributes....the attributes including a position of each part of the assembly model". The holes are part of the assembly model. Furthermore, the part information including attributes of line of sight and position of a part of an assembly model is anticipated on pages 280 and 286.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., how the projecting direction and the generating position should be decided based on the dimensions and annotations in the practical reprojection) are not recited in the rejected claims. Claim 1 only states that the projecting direction *is based on* a line of sight and that the generating position *is based on* a position of the part. The projecting direction is based on the projection angle, which is the line of sight and the generating position of the 2-D elements are based on a position of the part – see page 280, position of hole in 2-D part view is based on position of hole in 3-D model.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., how the size and location should be controlled in the practical reprojection) are not recited in the rejected claims. The claim language at

best only requires that the size and location *is based on* the 3-D model not how they are based on the 3-D model.

Applicant's arguments on page 9 do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections.

### **Conclusion**

Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. The prior art made of record is not relied upon because it is cumulative to the applied rejection. These references include:

1. U.S. Patent No. 5,649,076 issued to Nishizaka et al. on 07/15/97.
2. U.S. Patent No. 7,016,749 B2 issued to Kuzumaki et al. on 03/21/06.
3. U.S. Patent No. 7,039,469 B1 issued to Haws et al. on 05/02/06.

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4. U.S. Patent Application Publication US2003/0071810 A1 published by Shoov et al. on 04/17/03.

5. U.S. Patent No. 6,611,725 B1 issued to Harrison et al. on 08/26/03.

9. All Claims are rejected.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suzanne Lo whose telephone number is (571)272-5876. The examiner can normally be reached on M-F, 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamini Shah can be reached on (571)272-2297. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Suzanne Lo  
Patent Examiner  
Art Unit 2128

/SL/  
07/17/08

/Michael D Masinick/  
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